

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

MIKE CLINE,

Plaintiff,

v.

**BOSTON COLLEGE UNIVERSITY
BOSTON COLLEGE ATHLETICS
BOSTON COLLEGE FOOTBALL
BOSTON COLLEGE ATHLETIC
TRAINING STAFF,**

Defendants.

Case No.: 1:25-cv-500

NOTICE OF REMOVAL

Defendants Trustees of Boston College a/k/a Boston College (incorrectly sued as “Boston College University”), Boston College Athletics, Boston College Football and Boston College Athletic Training Staff (collectively “Boston College”), by counsel, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, hereby remove this action from the Circuit Court of Arlington County, Virginia, to the United States District Court for the Eastern District of Virginia, Alexandria Division, and in support thereof states as follows:

1. Boston College was founded in 1863 and is a non-profit corporation formed under the laws of the Commonwealth of Massachusetts, with its principal place of business located in Chestnut Hill, Massachusetts. Boston College Athletics, Boston College Football and Boston College Athletic Training Staff are all part of Boston College and are not separate legal entities.

2. The Complaint was served on Boston College through service on the Virginia Secretary of the Commonwealth (the “Secretary”) pursuant to Va. Code § 8.01-329. Boston College received the Notice of Service of Process and the Summons and Complaint from the

Secretary on March 3, 2025. Accordingly, this Notice of Removal is filed within 30 days of Boston College's receipt of the initial pleading in this matter, as required by 28 U.S.C. § 1446(b)(1).

3. A true and complete copy of all documents received by Boston College is attached collectively hereto as **Exhibit 1**. As best as can be determined from the documents served on Boston College, Plaintiff Mike Cline commenced this action on or about September 20, 2023, when he filed an unsigned Complaint in the Circuit Court of Arlington County, Virginia. The case was styled as listed above, and the state court assigned the matter case number CL23004185. A different, undated version of the Complaint was also served on Boston College and is included in Exhibit 1. There is no indication on the face of the second, undated version of the Complaint that it was received or filed in Arlington Circuit Court.

4. The Complaint alleges claims arising out of an injury suffered by an individual named Kevin Cline, who is a student athlete member of the Boston College Football team, during a football game at Virginia Polytechnic Institute and State University in Blacksburg, Virginia on September 10, 2022.

5. According to the Complaint, Plaintiff Mike Cline is a resident of Boca Raton, Florida and so is a citizen of the State of Florida. Although he is not identified as a plaintiff in the style of the Complaint, the body of the Complaint identifies Kevin Cline as an additional plaintiff. The Complaint states that Kevin Cline is a resident of Boca Raton, and so he is also a citizen of Florida.

6. Accordingly, complete diversity of citizenship exists between the parties.

7. The Complaint seeks judgment in the amount of \$20,000,000.00, plus interest and costs. Accordingly, the amount in controversy exceeds the minimum amount specified in 28 U.S.C. § 1332(a).

8. Because complete diversity exists and the amount in controversy exceeds the statutory minimum, original jurisdiction is vested in this Court pursuant to 28 U.S.C. §§ 1332 and 1441.

9. The Alexandria Division of this Court is the division embracing Arlington County, the place where the action to be removed is pending. *See* Local Civil Rule 3(B)(1).

10. Contemporaneous with the filing of this Notice of Removal, Boston College is filing a Notice of Filing of Notice of Removal (attached hereto as **Exhibit 2**) with the Clerk of the Arlington Circuit Court. Boston College will also promptly give Plaintiff written notice of the filing of this Notice of Removal as well as of the Notice of Filing Notice of Removal.

WHEREFORE, Defendants Boston College University, Boston College Athletics, Boston College Football and Boston College Athletic Training Staff hereby request that this action be removed to this Court.

TRUSTEES OF BOSTON COLLEGE
BOSTON COLLEGE ATHLETICS
BOSTON COLLEGE FOOTBALL
BOSTON COLLEGE ATHLETIC TRAINING
STAFF

By /s/ Dabney J. Carr
Of Counsel

Dabney J. Carr IV (VSB No. 28679)
TROUTMAN PEPPER LOCKE LLP
Post Office Box 1122
Richmond, Virginia 23218-1122
(804) 697-1200
(804) 697-1339 (facsimile)
dabney.carr@troutman.com

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of March, 2025, a true and correct copy of the foregoing was sent by email, by certified mail, return receipt requested and by overnight mail to:

Mike Cline
170 NE 2nd Street #871
Boca Raton, FL 33432
mikecline89@gmail.com

/s/ Dabney J. Carr
Dabney J. Carr (VSB No. 28679)
TROUTMAN PEPPER LOCKE LLP
Post Office Box 1122
Richmond, Virginia 23218-1122
(804) 697-1200
(804) 697-1339 (facsimile)
dabney.carr@troutman.com

Counsel for Defendants